

Atty. Dkt. No. 355908-3814

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bernard C. B. LIM, et al.

Title: DISPENSING SYSTEMS

Appl. No.: 10/553,925

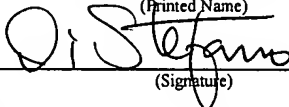
International Filing Date: 23 April 2004

371(c) Date:

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

Confirmation Number: 1105

CERTIFICATE OF EXPRESS MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV861931903US	July 19, 2006
(Express Mail Label Number)	(Date of Deposit)
Laura DiStefano (Printed Name)	
 (Signature)	

RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)

Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements mailed 22 May 2006, in the above-identified patent application, transmitted herewith are the missing requirements to complete the filing of the subject patent application.

Enclosed are:

- [X] Declaration and Power of Attorney (4 pgs)
- [X] Return Copy of Notification of Missing Requirements (2 pgs)
- [X] Information Disclosure Statement (2 pgs)

- [X] PTO/SB/08 (1 pgs)
- [X] Copy of one (1) reference (41 pgs)
- [X] Copy of Preliminary Amendment as filed 21 October 2005 (9 pgs)
- [X] Second Preliminary Amendment (8 pgs)
- [X] Return Receipt Postcard

The Notification of Missing Requirements indicates that additional claim fees of \$700 is due in the present application. However, this calculation appears to have been based upon the claims presented in the PCT, without reference to the Preliminary Amendment filed concurrent with the request to enter the national stage in the U.S. under 35 U.S.C. § 371. A courtesy copy of the Preliminary Amendment is attached hereto. After entrance of the Preliminary Amendment, there are 49 claims total with one independent claim. Due to the presence of multiply dependent claims fees are due for 59 total claims, one independent claim and the multiply dependent claim surcharge, as calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims		Rate	Fee Totals
Basic Filing Fee, Search Fee & Examination Fee					\$900.00	\$900.00
Size Fee	51	- 100	= 0	x	\$250.00	\$0.00
Total	59	- 20	= 39	x	\$50.00	\$1950.00
Claims:						
Independents:	1	- 3	= 0	x	\$200.00	\$0.00
If any Multiple Dependent Claim(s) present:				+	\$360.00	\$360.00
Surcharge under 37 CFR 1.16(f) for late filing of Executed Declaration				+	\$130.00	\$130.00
[] Extension fee for response filed within the first month:				+	\$120.00	\$0.00
					SUBTOTAL:	\$3,340.00
[X] Small Entity Fees Apply (subtract ½ of above):						0
					TOTAL FILING FEE:	\$3,340.00
Processing Fee under 37 CFR 1.17(i) for Late Filing of English Translation of Application:				+	\$130.00	\$0.00
					TOTAL FEE	\$3,340.00
Difference to pay:				-	\$1,670.00	\$1,670.00

Applicant believes that the confusion relating to filing fees due may be caused by the Preliminary Amendment, which indicates that claims 1-49 are "original." However, claims 1-49, are not identical to the amended claims 1-48, submitted in the International Application under Article 19. In order to avoid this confusion, Applicant herewith submits a Second Preliminary Amendment canceling claims 1-49 and presenting new claims 50-98, which are identical to claims 1-49 of the 21 October 2005 Preliminary Amendment. Applicant submits that no additional claim fees are due in the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date 19 July 2006

By 

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Karen E. Flick
Attorney for Applicant
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UNITED STATES PATENT AND TRADEMARK OFFICE

KEF
355908-3814
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/553,925	Bernard C B Lim	355908-3814

INTERNATIONAL APPLICATION NO.	
PCT/CA04/00604	
I.A. FILING DATE	PRIORITY DATE

38706
FOLEY & LARDNER LLP
1530 PAGE MILL ROAD
PALO ALTO, CA 94304

CONFIRMATION NO. 1105

371 FORMALITIES LETTER



OC000000018890687

Date Mailed: 05/22/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/21/2005
- English Translation of the IA filed on 10/21/2005
- Copy of the International Search Report filed on 10/21/2005
- Preliminary Amendments filed on 10/21/2005
- Oath or Declaration filed on 10/21/2005
- U.S. Basic National Fees filed on 10/21/2005
- Priority Documents filed on 10/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$700 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$700 for a Small Entity:

DOCKET
Resp. Due = 7/22/06
DD = 12/22/06

- Total additional claim fee(s) for this application is \$ 700

- \$700 for 67 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/553,925	PCT/CA04/00604	355908-3814

FORM PCT/DO/EO/905 (371 Formalities Notice)